

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

UNITED STATES OF AMERICA,

VS.

CIVIL ACTION NO. 4:09CR049-PS

SHIRLEY WHITE, ET AL.,

DEFENDANTS.

ORDER CONTINUING TRIAL

This matter comes before the court upon Defendant Shirley White's motion to continue trial [48]. After due consideration of the motion, the court finds as follows, to-wit:

Trial is currently set for June 8, 2009. Defense counsel requests a continuance to afford more time to complete discovery and to review same. The Government has no objection to the continuance.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. section 3161(h)(7)(A), the period of delay from June 8, 2009 until the new trial date to be set in this matter. The time is excludable under subsection (h)(7)(A) because, given the circumstances described above, a continuance is necessary to afford the defendant's counsel more time to adequately prepare for his client's defense. As such, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial. The time is also excludable as to the co-defendants pursuant to 18 U.S.C. section 3161(h)(6) because the period of delay is reasonable and no motion for severance has been granted.

IT IS THEREFORE ORDERED AND ADJUDGED that:

- (1) Defendant Shirley White's motion to continue trial [48]] is **GRANTED**;
- (2) Trial of this matter is continued **as to all defendants** until Monday, August 17, 2009 at

9:00 a.m. in the United States Courthouse in Greenville, Mississippi;

(3) The delay from June 8, 2009 to August 17, 2009 is excluded from Speedy Trial Act considerations as set out above;

(4) The deadline for filing pretrial motions is July 27, 2009; and

(5) The deadline for submitting a plea agreement is August 3, 2009.

SO ORDERED this the 27th day of May, A.D., 2009.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE